

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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VELOCITY EXPRESS CORPORATION,  
a Delaware corporation,

Civil File No. 03-CV-2456  
JRT/FLN

Plaintiff,

vs.

**ORDER APPROVING SETTLEMENT  
AND TERMS OF CONFESSION OF JUDGMENT**

NEXTEL OF TEXAS, INC.,  
a Texas corporation,

Defendant.

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Perry M. Wilson and Angela M. Hall, **DORSEY & WHITNEY, LLP**, 50  
South Sixth Street, Suite 1500, Minneapolis, MN 55402, for plaintiff.

Edward F. Fox, Alan I. Silver, Ann Claire Phillips, and Susan E. Gustad,  
**BASSFORD REMELE, P.A.**, 33 South Sixth Street, Suite 3800,  
Minneapolis, MN 55402, for defendant.

The parties above-named have entered into a Settlement Agreement and Mutual Release (Docket No. 182). To secure its obligations under the Settlement Agreement, Velocity Express Corporation has executed a Confession of Judgment (Docket No. 181) in favor of Nextel of Texas, Inc.

The Court has reviewed the terms of the Settlement Agreement and Mutual Release and hereby approves the same. The Court has also reviewed the Confession of Judgment and approves its terms and language. Upon default by Velocity Express Corporation and as set forth in the Settlement Agreement, Nextel of Texas, Inc. may file the Confession of Judgment. The Court will then issue an Order for Judgment in favor of

Nextel of Texas, Inc. This Court shall retain continuing jurisdiction in order to enforce the terms of the Settlement Agreement and the Confession of Judgment.

**BY THE COURT:**

DATED: August 4, 2006  
at Minneapolis, Minnesota.

s/John R. Tunheim  
JOHN R. TUNHEIM  
United States District Judge